

July 16 2008

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA**PETER A. LEANDER**
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July 15, 2008

FILED

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Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANAMontana Supreme Court
P. O. Box 203003
Helena, Montana 59602-2003

Dear Honorable Justices:

08-0203

I write you to express my concern regarding the Proposed 2008 Montana Code of Judicial Conduct Rule 3.10 requiring full time judges to not practice law.

I have practiced since 1885 in Montana and Arizona, in State and Federal courts. I have specifically practiced in justice courts in which the judges were not attorneys. In short, I believe that our system of justice suffered significantly in such cases.

I fear that should this rule be imposed some good judges may have to give up the bench because the salary for their position alone is not sufficient. I understand the arguments to the contrary. However, in balance, our citizenry will benefit if we can maintain as many lawyers as judges as possible.

Thank you for your consideration.

Sincerely,

Peter Leander
Attorney at Law

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